

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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MATHEW YOUNG,

Plaintiff,

v.

VIOLET R. ROSASTA; DARIN F. IMLEY;
JUDGE KIERNY,

Defendants.

Case No. 2:23-cv-00974-JAD-EJY

ORDER

Pending before the Court is Plaintiff Matthew Young's Civil Rights Complaint under 42 U.S.C. § 1983. ECF Nos. 3-1. Plaintiff, who is incarcerated in Indian Springs, Nevada, did not file an *in forma pauperis* application and did not pay the filing fee required to commence a civil action. Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, an inmate seeking to commence a civil action may apply to proceed *in forma pauperis*, which allows the inmate to file the civil action without prepaying the full \$402 filing fee. To apply for *in forma pauperis* status, the inmate must submit all three of the following documents to the Court:

- (1) a completed Application to Proceed in Forma Pauperis for Inmate, on this Court's approved form (i.e. pages 1 through 3 with the inmate's two signatures on page 3),
- (2) a Financial Certificate properly signed by both the inmate and a prison or jail official (i.e. page 4 of this Court's approved form), and
- (3) a copy of the inmate's prison or jail trust fund account statement for the previous six-month period.

Accordingly, IT IS HEREBY ORDERED that Plaintiff is granted a one-time extension to file a complete application to proceed *in forma pauperis* containing all three of the required documents or, in the alternative, pay the \$402 filing fee for this action on or before **August 31, 2023**. Absent unusual circumstances, the Court will not grant any further extensions of time.

IT IS FURTHER ORDERED that if Plaintiff is unable to file a complete application to proceed *in forma pauperis* with all three required documents or pay the \$402 filing fee on or before

1 **August 31, 2023**, the Court will recommend dismissal of this case without prejudice for Plaintiff to
2 file a new case with the Court when Plaintiff is either able to file a fully complete application to
3 proceed *in forma pauperis* or pay the \$402 filing fee. A dismissal without prejudice means Plaintiff
4 does not give up the right to refile the case with the Court, under a new case number, when Plaintiff
5 has all three documents needed to submit with an application to proceed *in forma pauperis*.

6 IT IS FURTHER ORDERED that the Court will retain Plaintiff's Civil Rights Complaint
7 (ECF No. 3-1), but the Court will not file the Complaint unless and until Plaintiff timely files a
8 complete application to proceed *in forma pauperis* or pays the \$402 filing fee.

9 IT IS FURTHER ORDERED that the Clerk of Court will mail Plaintiff the approved form
10 application to proceed *in forma pauperis for inmate*, as well as the document entitled information
11 and instructions for filing the same.

12 Dated this 17th day of July, 2023.

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15 ELAYNA J. YOUCHAH
16 UNITED STATES MAGISTRATE JUDGE
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